

## VOLUNTARY AGREEMENT

**THIS AGREEMENT**, made and entered into this 6 day of January 2003, by and between Visions LP trading as Visions Cinema Bistro Lounge, (hereinafter the "Applicant"), and Advisory Neighborhood Commission 2B, (hereinafter the "Protestant"), witnesses:

**Whereas**, the Applicant has filed a Renewal Application (#50046) with the DC Alcoholic Beverage Control Board (hereinafter the "Board") for premises known as Visions Cinema Bistro Lounge located at 1929 Florida Avenue NW, in Washington, DC.

**Whereas**, the Protestant has filed before the ABC Board a protest opposing the granting of this Renewal Application.

**Whereas**, in recognition of the Board's policy of encouraging parties to a protested proceeding to settle their differences by reaching voluntary agreements, the Parties hereto desire to enter into a voluntary agreement whereby (1) Applicant will agree to adopt certain measures to address the Protestant's concerns and to include this agreement as a formal condition of its application, and (2) Protestant will agree to the issuance of the renewal related to this license and withdrawal of the Protest *provided* that such agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with such agreement.

**Whereas**, the Applicant has recently taken or intends to take certain measures designed to ameliorate Protestant's concerns.

**Now agree therefore**, in consideration of the mutual covenants and undertakings memorialized herein, the Parties hereby agree as follows:

1. Hours. The hours of operation shall end no later than or begin no earlier than:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Establishment:	7am - Midnight	7am - Midnight	7am - Midnight	7am - Midnight	7am - 2am	7am-2am	9am - Midnight
Summer Garden:	7am - 11 pm	7am - 11 pm	7am - 11 pm	7am - 11 pm	7am - Midnight	7am - Midnight	9am - 11 pm
Time alcohol serving may begin:	11am	11am	11am	11am	11am	10am	10am

2. Noise/Music. Applicant acknowledges familiarity with and will comply with noise-control provisions of District of Columbia law and regulations, including preventing emissions of sound, capable of being heard outside the premises, by any musical instrument or amplification device or other device or source of sound or noise, in accordance with DCMR 905. No outdoor music, live or taped, shall be heard or played in the outdoor cafe. Doors will remain closed except when people are entering and exiting and shall not be propped open.
3. Trash/garbage/rodents. Applicant shall maintain regular trash garbage removal service; regularly remove trash from the trash area, and see that the trash area remains clean. Applicant shall deposit trash and garbage only in rodent-proof dumpsters and shall see that dumpster covers fit properly.

and remain fully closed except when trash or garbage is being added or removed. All garbage from the summer garden will be stored inside the restaurant, or in appropriate containers in the rear of the building. No trash storage shall be allowed in the area of the summer garden.

4. Exterior and public space and summer garden usage provisions.

(a) Applicant shall assist in the maintenance of the space in front of the establishment to at least 18 inches outward from the curb as needed to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulations in these respects. Applicant shall make every reasonable effort to keep public sidewalk clear of patrons, to prevent or disperse loitering or any other source of noise or disturbance in the areas in front or to the rear of the premises during business hours and at closing, and to require patrons to leave those areas at closing.

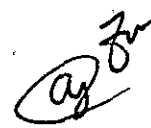
(b) Applicant will comply with all applicable signage regulations, including those for historic districts and will remove any signage in violation.

(c) The summer garden shall be occupied by no more than 25 patrons. A station may be used for water service, silverware, and napkins. Patrons are to be encouraged to be seated.

(d) No one standing will be served food or drinks, although it is understood that patrons may bring food and beverages from inside. The consumption of food by each summer garden patron shall be encouraged.

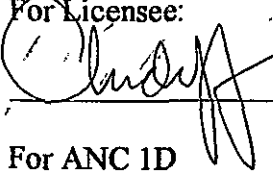
5. Special Events. Applicant agrees to limit the number of "special events" to 12 annually. Special events may have red carpets, and tents but during "special events" no more than 25 people shall occupy the summer garden. Klieg lights shall not be operated after 10 pm because of the noise they generate shall be parked in front of the business and shall not be directed at residences.
6. Indoor Capacity. Bar counter shall have no more than 10 stools, lounge area will accommodate approximately 20 seats, and the dining room will seat approximately 54. Indoor capacity for food and beverage service shall not exceed 84 seats.
7. Patron Line Management. The management shall monitor the lining up of patrons so that the entrances of adjacent buildings are not blocked, shall close the line when the number of people in line exceeds the number of theater seats, and shall not allow the line to block the sidewalk.
8. Parking. Applicant shall continue to facilitate the availability of off-street parking for patrons, valet or non-valet. Applicant shall encourage patrons to park in the parking garage. In no event will the Applicant use valet parking to park patron's cars on a public street. Service and delivery vehicles shall not park in crosswalks or otherwise park illegally.
9. Consideration. Applicant will encourage employees and patrons to be considerate of neighboring residents at all times. Applicant will encourage those leaving the establishment to keep conversations and noise down particularly after 10 pm.
10. Modification. This agreement can be modified only by the ABC Board, or by mutual agreement of all the parties with the approval of the ABC Board. In the case of ANC 2B, if Applicant desires to modify the terms of this agreement, prior to implementing the changes Applicant shall receive written agreement from ANC 2B.

11. Regulations. In addition to the foregoing, Applicant will operate in compliance with all applicable laws and regulations.
12. Withdrawal of protest. Protestant agrees to the issuance of the renewal license and the withdrawal of their protest *provided* that the present Voluntary Agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with such Voluntary Agreement.

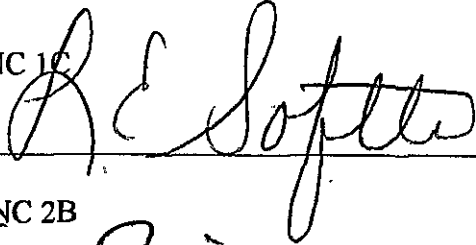
**APPLICANT:**Visions Cinema Bistro LoungeBy: Andrew FrankGeneral Partner, Visions Cinema Bistro LoungeDate: 1/6/03**PROTESTANT:**Advisory Neighborhood Commission 2BBy: Vince MiconeANC 2B ChairmanDate: 1/8/03

The undersigned further agree that this agreement may be reviewed and amended in whole or in part by mutual agreement. Licensee agrees to notify the each undersigned Advisory Neighborhood Commission in advance of any contemplated change to the matters contained in this agreement.


For Licensee:

  
President  
Striss Coffee Co  
General Partner

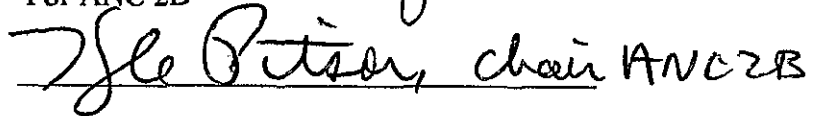
For ANC 1C



For ANC 1D

  
Lance P. Salamin  
Vice Chairperson

For ANC 2B

  
Jill Peterson, chair ANC 2B

VOLUNTARY AGREEMENT

Made this 24th Day of February, 2000, by and between Visions L.P. (the Applicant) and Michael N. Woods. (The Protestant).

WITNESSETH

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control Board (ABC) is Applicant's application for a Class Q/T license for premises known as Visions, 1929 Florida Avenue, N.W., Washington; and

WHEREAS, the Protestant filed a protest to the issuance to this license and

WHEREAS, the parties have resolved their differences and desire to enter into an Agreement pertaining to an understanding regarding Applicant plans,

NOW, THEREFORE, it is agreed as follow:

1. The Applicant agrees that it shall take all necessary steps to ensure that the parking available in the underground garage shall remain open until the end of any special events.
2. In consideration of the above, the undersigned Protestant hereby withdraws her letter of protest previously filed with the Board, and advises the Board that she has no objection to the Applicant's pending license request.

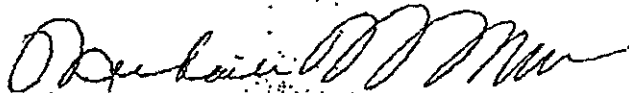
IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above-written.

APPLICANT: VISIONS, L.P.

By: 

Andrew Frank,  
President of General Partner

PROTESTANT:

  
Michael N. Woods

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**In the Matter of:**

Visions LP  
t/a Visions Cinema Bistro Lounge

Application for a Retailer's Class  
CT License (renewal)  
at premises  
1929 Florida Avenue, N.W.  
Washington, D.C.

Application No.: 50046-03/014P  
Order No.: 2003-007

Vince Micone, Chairperson, Advisory Neighborhood Commission 2B, Protestant

Dimitri P. Mallios, Esquire, on behalf of the Applicant

**BEFORE:** Roderic L. Woodson, Esquire, Chair  
Vera Abbott, Member  
Charles Burger, Member  
Laurie Collins, Member  
Judy Moy, Member  
Ellen Oppen-Weiner, Esquire, Member  
Audrey Thompson, Member

**ORDER ON WITHDRAWN PROTEST  
AND VOLUNTARY AGREEMENT**

The application, having been protested, came before the Board on January 15, 2003 in accordance with the D.C. Official Code Section 601 (2000 Edition). Vince Micone, Chairperson, on behalf of the Advisory Neighborhood Commission 2B, filed timely opposition by letter dated December 12, 2002.


The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated January 6, 2003, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

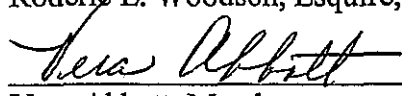
Accordingly, it is this 29<sup>th</sup> day of January 2003, **ORDERED** that:

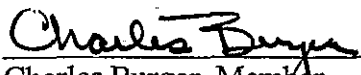
Visions LP  
t/a Visions Cinema Bistro Lounge  
Case no. 50046-03/014P  
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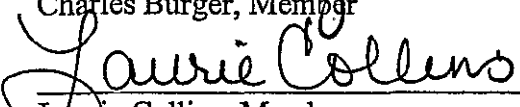
1. The opposition of Vince Micone, Chairperson, on behalf of the Advisory Neighborhood Commission 2B, is **WITHDRAWN**;
2. The application of Visions LP t/a Visions Cinema Bistro Lounge for a retailer's class CT license (renewal) located at 1929 Florida Avenue, N.W., Washington, D.C. is **GRANTED**;
3. The above-referenced agreement between the parties is **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Protestant and the Attorney for the Applicant.

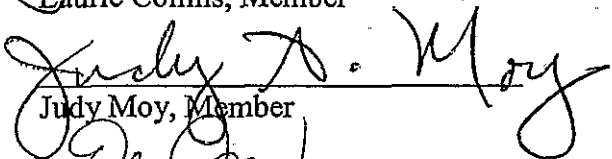
District of Columbia  
Alcoholic Beverage Control Board

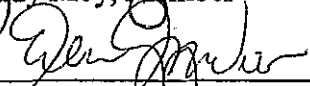
  
Roderic L. Woodson, Esquire, Chair

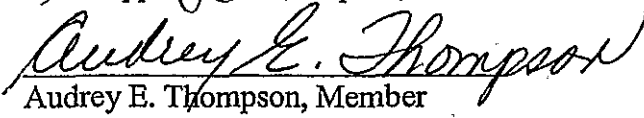
  
Vera Abbott, Member

  
Charles Burger, Member

  
Laurie Collins, Member

  
Judy Moy, Member

  
Ellen Oppenheimer, Esquire, Member

  
Audrey E. Thompson, Member